

1 Hon. Christopher M. Alston  
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8 **UNITED STATES BANKRUPTCY COURT**  
9 **WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

10 In Re )  
11 THEODORE NICOLOUDAKIS, ) Case No. 23-12177 CMA  
12 Debtors ) Chapter 7  
13 \_\_\_\_\_)

14 DECLARATION OF SARAH SUSEYI NICOLOUDAKIS

15 SARAH SUSEYI NICOLOUDAKIS, being first sworn under oath declares as follows:

16 1. I am the spouse of Theodore “Ted” Nicoloudakis, have knowledge of and am  
17 competent to testify to the facts set forth herein. I make this declaration in support of Ted’s motion  
18 to convert his Chapter 7 case to one under Chapter 11.

19 2. I believe that Ted was misled both by filing this case under Chapter 7 and by the  
20 advice his lawyer, Philip Ornstil, gave to him. This Court twice ordered Mr. Ornstil to appear to  
21 explain his actions and Ted’s including the failure to obtain pre filing Debtor’s education; the  
22 failure to file bankruptcy schedules and the failure to appear at the first meeting of creditors.

23 3. Mr. Ornstil’s advice, action or inactions have impacted both our financial and  
24 personal lives.

25 4. We believe that the only or best way to get back on track is to convert this case to  
26 one under Chapter 11 – and elect Sub Chapter V – if possible.

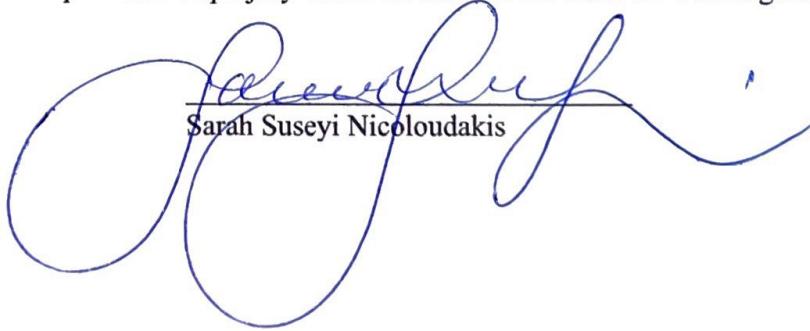
1       5. I am in the process of retaining counsel and I have resources to assist Ted in  
2 developing, confirming and executing a plan in order to save our assets and our financial and  
3 personal lives.

4       6. I also believe that there are claims filed in this case which overstate the amounts of  
5 the liabilities, if any liability at all. I am willing to work with the Trustee and Counsel to object to  
6 those liabilities.

7       7. I recognize that under a personal Chapter 11, the Debtor has to pledge 60 months  
8 of income to confirm a plan, but I think it is possible that the debt can be resolved for substantially  
9 less than the Claims Register indicates and that we can successfully pay these debts sooner than  
10 later.

11       8. I also recognize that the motion to convert is late, but the problems created by prior  
12 counsel have impacted our ability to even focus on the future let alone address the issues.

13       DATED and signed under penalties of perjury under the laws of the State of Washington  
14 this 30<sup>th</sup> day of August 2024

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16       Sarah Suseyi Nicoloudakis